

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company
(U 39 G) for an Order Pursuant to Section
1005.5(b) of the Public Utilities Code to Increase
the Maximum Cost Specified in PG&E's
Certificate of Public Convenience and Necessity
to Construct the California Portion of the
Expansion of its Natural Gas Pipeline.

Application 92-12-043
(Filed December 21, 1992)

And Related Matters.

Application 93-03-038
Application 94-05-035
Application 94-06-034
Application 94-09-056
Application 94-06-044
Application 96-08-043
Rulemaking 90-02-008
Rulemaking 88-08-018
Rulemaking 92-12-016
Investigation 92-12-017
Application 92-07-049
Application 95-02-008
Application 95-02-010
Application 94-11-015
Application 93-04-011
Application 94-04-002
Application 95-04-002
Application 96-04-001
Application 94-12-039

**ADMINISTRATIVE LAW JUDGE'S RULING
ON PACIFIC GAS AND ELECTRIC COMPANY'S MOTION**

On January 31, 2002, Pacific Gas and Electric Company (PG&E) filed a motion to late-file its comments to the Draft Decision of ALJ Wong. PG&E's proposed comments were attached to the motion. The Draft Decision, which is on the Commission's February 7, 2002 agenda, was mailed to the service list on January 7, 2002. Comments to the Draft Decision were due on January 28, 2002. No one filed any timely comments to the Draft Decision.

PG&E's motion states that counsel for PG&E did not become aware of the issuance of the draft decision until after the due date for filing comments had passed, and that the oversight was inadvertent. Since no one else filed comments on the Draft Decision, PG&E states "it is clear that no party will be prejudiced by allowing PG&E to file its comments out-of-time."

The Draft Decision recommends that the emergency petition to modify Decision 97-08-055 and Resolution G-3288, filed by the Northern California Generation Coalition, be denied. PG&E's proposed comments to the Draft Decision support the adoption of the Draft Decision without change.

Rule 45(h) of the Commission's Rules of Practice and Procedure permit that a ruling be issued before responses to the motion are filed. Given that no one filed any timely comments to the Draft Decision, and because PG&E's proposed comments do not seek any change to the Draft Decision, PG&E's motion to file its comments three days out-of-time should be granted.

Therefore, **IT IS RULED** that:

1. The January 31, 2002 "Motion of Pacific Gas and Electric Company to File Comments Three Days Out-of-Time" is granted.

2. The Docket Office is directed to file the “Comments of Pacific Gas and Electric Company in Support of Draft Decision,” that was attached to the motion, as of January 31, 2002.

Dated February 5, 2002 at San Francisco, California.

/s/ JOHN S. WONG

John S. Wong
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling on Pacific Gas and Electric Company's Motion on all parties of record in this proceeding or their attorneys of record.

Dated February 5, 2002, at San Francisco, California.

/s/ TERESITA C. GALLARDO
Teresita C. Gallardo

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.